

U.S. EPA

CERCLA SECTION 104(e)

INFORMATION REQUEST

Current Site Name: Gorst Creek Landfill Site, Port Orchard, Kitsap County, Washington (Site)

Former Site Names: Ames Auto Wrecking (approximately 1950 to 1973)
Ames Refuse – Bremerton Auto Wrecking (approximately 1973 to 1980)
Bremerton Auto Wrecking (approximately 1980 to 1989)

Site Address: 4275 State Highway 3 SW
Port Orchard, Washington
98367

Kitsap County Parcel: 012301-4-022-1005

Abbreviated Legal: Portion of NE ¼ of the SE ¼ of Section 1, Township 23N, R1W,
Willamette Meridian, Kitsap County, Washington

This Information Request includes instructions for responding to the request and definitions of words used in the request such as “Respondent,” and “identify.”

Please Note: The Site only recently became known as the Gorst Creek Landfill Site. Older records or documents may refer to the Site as Ames Auto Wrecking, Ames Refuse – Bremerton Auto Wrecking, or Bremerton Auto Wrecking.

INFORMATION REQUEST QUESTIONS

1. Respondent Information

- a. If Respondent wishes to designate an individual for all future correspondence concerning this matter please provide the individual’s name, address, telephone number, and email address in response to this question.

2. Gorst Creek Landfill Site

- a. Provide all documents in your possession relating to the Gorst Creek Landfill Site including, but not limited to, contracts, lease agreements, waste disposal agreements and records, waste transportation agreements and records, waste generation records, and payment information including any invoices, receipts, and payment records.
- b. For the period starting in 1964 and ending in 1989, describe any known or reputed business relationship between Respondent and any former owners and/or operators of the Gorst Creek Landfill Site. Former owners and/or operators include, but may not be limited to, Melvin L. Marler, James O. Arthur, E.R. Eller, John A. Riley, Kenneth Crawford, Earl M. King, William H. Fraser, Richard L. Penor, and Sid and Lucille Uhinck.
- c. For the period starting in 1964 and ending in 1989, describe any known or reputed business relationship between Respondent and any person related to the transportation, shipment, and/or disposal of waste at the Gorst Creek Landfill Site.
- d. If not already provided in response to question 2(a), provide all documents related to environmental conditions at the Gorst Creek Landfill Site including, but not limited to, all reports, studies, analyses, data, and all information related to any spill, leak, release, discharge or disposal of any hazardous substance.

3. Waste Generation and Management

- a. For the period starting in 1964 and ending in 1973, provide all documents that identify and/or describe the source, type, content, composition, and/or quantity of waste, excepting Radioactive Waste, generated at the U.S. Puget Sound Naval Shipyard (PSNS).
- b. For the period starting in 1964 and ending in 1973, provide all documents related to the transport and/or disposal of hazardous substances, excepting Radioactive Waste, generated or stored at the PSNS.
- c. For the period starting in 1964 and ending in 1980, identify each person that entered into a contract or agreement to transport and/or dispose of waste, excepting Radioactive Waste, generated at or obtained from the PSNS. For each identified person provide the following information:
 - i. name and contact information;
 - ii. the dates during which the person transported and/or disposed of waste from the PSNS;
 - iii. the activity conducted by the person (i.e. transport, storage, disposal, etc.);

- iv. the location where the waste was transported to, stored, or disposed of;
and
 - v. a general description of the source and contents of the waste subject to the contract or agreement with the identified person.
- d. If not provided in response to question 3(c), for the period starting in 1964 and ending in 1980, provide all contracts, agreements, shipment or transport records, invoices, receipts or other payment information related to the transport, storage, or disposal of waste, excepting Radioactive Waste, generated at, or obtained from PSNS.

4. Information about Others

- a. If not already provided, identify all persons, including current and former employees or agents, other than attorneys, who have knowledge of or were involved in the procurement, contracting, or performance of services to transport, store, or dispose of waste generated at, or obtained from the PSNS for the period starting in 1964 and ending in 1980.

5. Compliance with This Request

- a. Identify each person that Respondent interviewed or sought information or documents from in order to respond to this request, and include the following information for each identified individual:
 - i. full name;
 - ii. current or former title;
 - iii. relationship to Respondent; and
 - iv. business address and telephone number.
- b. Describe all sources reviewed or consulted in responding to this request and identify the location(s) where all documents reviewed are currently kept.
- c. Identify each person that assisted in the preparation of the response to this request and include the current job title or functions of each identified person.

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INSTRUCTIONS

1. Answer Each Question Completely. Provide a separate answer to each question and subpart set forth in this Information Request.
2. Response Format and Copies. Provide the responses to this Information Request and at least one copy of all requested documents either electronically or on paper (hard copy). Your submission, whether electronic or hard copy, must include an index that lists all the responsive documents provided, and that indicates where each document is referenced in the written response, and to which question or questions each document is responsive. If providing your response electronically, it must be submitted on a compact disc in Portable Document Format (PDF) and comply with the following requirements:
 - a. The declaration must be provided in hard copy with an original signature.
 - b. All documents originally smaller than 11 by 17 inches can be submitted electronically; any documents originally larger than 11 by 17 inches must be submitted in hard copy.
 - c. Electronic PDF files cannot be submitted in Adobe Acrobat versions above 6 (or above PDF format version 1.5 if not using Adobe).
 - d. Electronic PDF files must be text-searchable.
 - e. The document index must clearly identify any single electronic document which has been separated into multiple electronic files (because of size limitation or otherwise) and each component file that comprises the full document.
3. Number Each Answer. Number each answer with the number of the question to which it corresponds.
4. Provide the Best Information Available. Provide responses to the best of Respondent's ability, even if the information sought was never put down in writing or if the written documents are no longer available. Seek out responsive information from current and former employees/agents.
5. Identify Information Sources. For each question, identify all persons and documents relied upon for the answer.
6. Protected Material. The information requested herein must be provided even though the Respondent may contend that it includes protected material or confidential information. The Respondent may assert a confidentiality claim covering part or all of the information requested, pursuant to 42 U.S.C. §§ 9604(e)(7)(E) and (F), and 40 C.F.R. § 2.203(b). All information claimed to be protected or confidential should be contained on separate sheet(s) and should be clearly identified as "protected material" or "confidential." Information covered by a protected material or confidentiality claim will be disclosed by EPA only to the extent, and only by means of the procedures, provided in 40 C.F.R. §§

2.201-2.311. **If no such claim accompanies the information received by EPA, it may be made available to the public by EPA without further notice.**

7. Personal Privacy Information. Personnel and medical files, and similar files the disclosure of which to the general public may constitute an invasion of privacy, should be segregated from responses, included on separate sheet(s), and marked as "Personal Privacy Information". Note, however, that unless prohibited by law, EPA may disclose this information to the general public without further notice.
8. Objections. The Respondent must provide responsive information notwithstanding objections to certain questions.
9. Privilege. If a privilege is asserted for any document responsive to this Information Request, submit a privilege log that identifies the document and the basis for the privilege being asserted. If a privilege exists for only a portion of a document, provide the portion of the document that is not privileged, identify the portion that is asserted to be privileged, and provide the basis for the privilege being asserted. **Please note that regardless of the assertion of any privilege, any facts contained in the document which are responsive to the Information Request must be disclosed in your response.**
10. Declaration. The Respondent must complete the enclosed declaration, certifying the accuracy of all statements in your response.

DEFINITIONS

All terms not defined herein shall have their ordinary meaning unless such terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9601, *et seq.*, the Resource Conservation and Recovery Act, 42 U.S.C. § 6901, *et seq.*, or 40 C.F.R. Parts 260, 261 and 300, in which case such statutory or regulatory definitions shall apply.

The following definitions shall apply to the following words as they appear in this Enclosure:

1. The term "Respondent" shall mean the U.S. Department of Navy including any and all current or former divisions, commands, offices, employees, agents and contractors.
2. The terms "document" and "documents" shall mean any method of recording, storing, or transmitting information. "Document" shall include, but not be limited to:
 - a. writings of any kind, including, but not limited to, any of the following:
 - i. letters, memoranda, fax transmittals;
 - ii. meeting minutes, telephone records, notebooks;
 - iii. agreements and contracts;
 - iv. reports to management, executive branch, Congress, or other government agencies;
 - v. transportation manifests or records;
 - vi. copies of any document.
 - b. any film, photograph, or sound recording on any type of device;
 - c. any blueprints or drawings;
 - d. attachments to, or enclosures with, any document.
3. The term "identify" means, with respect to a natural person, to set forth: (a) the person's full name, (b) present or last known business and home addresses and telephone numbers; and (c) present or last known employer (include full name and address) with job title, position, or business.
4. The term "identify" means, with respect to a corporation, partnership, business trust, or other entity, to set forth: (a) its full name; (b) complete street address; (c) legal form (e.g., corporation, partnership, etc.); (d) the state under whose laws the entity was organized;

and (e) a brief description of its business.

5. The term "identify" means, with respect to a document, to provide: (a) its customary business description (e.g., letter, invoice); (b) its date; (c) its number if any (e.g., invoice or purchase order number); (d) the identity of the author, addressee, and/or recipient; and (e) a summary of the substance or the subject matter. **Alternatively**, Respondent may provide a complete copy of the document.
6. The term "describe" shall mean to represent or given an account of in words, or to provide information including that represents any interest in real or personal property whatsoever, including fee interests, leases, licenses, rental, and mineral rights.
7. The term "waste" or "waste material" shall mean any garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, and pollutants or contaminants, whether solid, liquid, or sludge, including, but not limited to, building debris and asbestos-containing material.
8. The term "activities" shall mean all actions, endeavors, ventures, or financing arrangements related in any manner whatsoever to the use and development of the property, including surveying, sampling, grading, documentation, photography, demolition, construction, and waste disposal, and sales.
9. The term "Gorst Creek Landfill Site," "Gorst Landfill" or "Site" shall mean all real property, buildings, structures, and waste disposal areas located at or around 4275 State Highway 3 SW Port Orchard, Washington 98367, currently designated as Kitsap County Parcel Number 012301-4-022-1005. To the extent that the boundaries of the real property described in the preceding sentence have been altered or adjusted, this definition shall encompass the full and furthest extent of the real property boundary since 1950. Older records or documents may varyingly refer to the Site as Ames Auto Wrecking, Ames Refuse – Bremerton Auto Wrecking, and Bremerton Auto Wrecking.
10. The term "U.S. Puget Sound Naval Shipyard" or "PSNS" shall mean all real property and/or facilities located in or around Bremerton and Port Orchard, Washington that are or were owned and/or operated by the U.S. Department of Navy. The PSNS was formerly designated Navy Yard Puget Sound and this definition includes all real property and/or facilities owned by the U.S. Department of Navy under this prior designation. However, the term PSNS does not include real property and/or facilities owned and/or operated by the U.S. Department of Navy in Bangor and Everett, Washington that were consolidated into the Puget Sound Naval Shipyard and Intermediate Maintenance Facility, Pacific Northwest in 2003.
11. The term "Radioactive Waste" shall mean spent nuclear fuel from a nuclear reactor, high

level waste from reprocessing of spent nuclear fuel, transuranic waste, and low-level radioactive waste. Radioactive Waste shall not include waste with naturally occurring radioactive materials or accelerator-produced radioactive waste.

DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of Respondent and that the foregoing is complete, true, and correct.

Executed on _____, 2010.

Signature

Type or Print Name

Title

Mailing Address:

Commanding Officer
Naval Base Kitsap
120 South Dewey Street
Bremerton, Washington
98314